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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Wayne W Berreth
Sandwich Box 83 Tensed, Idaho. (Name of Claimant)
(Mailing Address) 83870 (Zip Code)

Telephone No. 274-4425

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

→ (1) Date of priority: (When was the water first applied to a beneficial use) 1925.

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring tributary to Haugman Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>0.09</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>	
Quantity <u>0.01</u>	Use <u>STOCK.</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	

(4) 0.09 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 NE 1/4, Sec. 5 Twp. 43N Rge. 3W B.M., County of Benewah
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Spring box & gravity flow

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>43N</u>	<u>3W</u>	<u>5</u>								<u>X</u>									

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

One home

NOTE: Include here the type and number of stock watered: TEN HEAD.

(7) If you are claiming water as a member of an organization, list name of organization: _____

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Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of) ss.)
BENNEWAH

attendant's knowledge.

Agnes

Mary Ann Bennett

(Claimant)
1980
John A. Jochenberg

Box 125 - Toledo, Ohio 43670

My commission expires

Received by	DATE	4/18/80
Prefim. check by	DATE	4/22/80
\$20.00 fee received by	DATE	4/22/80
Published in	DATE	5/1/80 - 5/2/80

Date _____

6173

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of...2....issues, the first publication being on the 22... day of ...May....., 1980. and the last on the ...29... day of May....., 19...80

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this...29... day of ...May....., 19...80.

Beverly A. Linn

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 93-4016 in the name of Wayne W. Berreth was advertised incorrectly on May 1 and May 8, 1980.

The Place of Use was incorrectly advertised as the SWNE Sec 05 T43N R03W; whereas, correctly it should read SENW Sec 05 T43N R03W.

Any exception to the above-referenced correction must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

C. STEPHEN ALLRED
Director

No. 6173 — May 22-29.

OK
6/2/80

RECORDED

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with the State of Idaho Department of Water Resources, 4055 Government
Way, Coeur d'Alene, Idaho 83814.

C. STEPHEN ALLRED

Director

Published in the St. Maries Gazette Record on
May 22 and May 29, 1980.

RECORDED

6142

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of...2....issues, the first publication being on the...1. day of ...May....., 19⁸⁰ and the last on the...8....day of...May....., 19⁸⁰.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Jo Jane Hammes

Subscribed and sworn to before me this...8..... day of May....., 19⁸⁰..

Beverly A. Linn

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

93-4016

Name: Berreth, Wayne W.
Address: Rt. Box 83, Tensed, ID 83870

Priority Date: January 1, 1925

Amount: 0.03 CFS cubic feet per second

Source: Spring tributary to Hangman Creek

Means: Spring box and pipe

Point of Diversion: SWNE Sec 05 T 43N R 03W, Benewah Co.

Place of Use: SWNE Sec 05 T 43N R 03W

Use: Stockwater (0.01 CFS) from Jan. 1 to Dec. 31

Domestic (0.02 CFS) from Jan. 1 to Dec. 31

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id. 83814.

C STEPHEN ALLRED
Director

No. 6142 — May 1-8

RECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RAH

Right Number 93-4016 Applicant Berneth

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☐ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☐ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☐ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By ms Date 6/2/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 6/20/80

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93-4016

BERRETH, WAYNE W.

SANDERS RT. BOX 83, TENSED, ID 83870

Source: SPRING tributary to HANGMAN CREEK

Priority Date: 01/01/1925

Amount: 0.03 CFS

Diversion Point: SWNE Sec 05 T 43N R 03W, BENEWAH Co.

Use: STOCKWATER	(0.01 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: ^{SE NW} SWNE Sec 05 T 43N R 03W

Diversion Means: SPRING BOX & PIPE.

*Corrected
on computer
5/14/80*

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

MAY 19, 1980

WAYNE W. BERRETH
SANDERS RT. BOX 83
TENSED

ID 83870

RE: Claim No. 93-4016

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

MICROFILMED

May 12, 1980

St. Maries Gazette Record
P. O. Box 667
St. Maries, Idaho 83861

Re: 93-4016

Gentlemen:

Enclosed is a Notice of Correction for the above-referenced permit which was originally published in your newspaper on May 1 and May 8, 1980.

Please publish the Notice of Correction on May 22 and May 29, 1980, and forward your Affidavit of Publication and Billing for this second publishing. If you cannot publish on these dates, please contact me immediately since this will change the wording in the publication.

Sincerely,

Patricia M. Stypa'
Sr. Secretary

Enc. - Notice

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

April 24, 1980

Wayne W. Berreth
Sanders Rt. Box 83
Tensed, Idaho 83870

RE: 93-4016

Dear Mr. Berreth:

Enclosed is Receipt No. 16940 in the amount of \$20.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Styrpa

PMS

Enclosure

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